

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

In re:

LANDSOURCE COMMUNITIES
DEVELOPMENT, LLC, et al.,

Debtors.

CITIZENS AGAINST CORPORATE
CRIME,

Appellant,

v.

LENNAR CORPORATION.,

Bankruptcy Case No. 08-11111 (KJC)

C. A. No. 18-1793-CFC

BAP 18-53

Appellee.

RECOMMENDATION

At Wilmington this **20th** day of **December, 2018**.

WHEREAS, pursuant to paragraph 2(a) of the Procedures to Govern
Mediation of Appeals from the United States Bankruptcy Court for this District dated
September 11, 2012, the court conducted an initial review, which included information
from counsel, to determine the appropriateness of mediation in this matter;

WHEREAS, as a result of the above screening process, the issues
involved in this case are not amenable to mediation and mediation at this stage would
not be a productive exercise, a worthwhile use of judicial resources nor warrant the
expense of the process.

Due to the relief granted by the Bankruptcy Court, an order directing the

dismissal of a civil case in California, neither party believes mediation is appropriate for this matter. Neither Appellant nor Appellees are nor were previously involved in any ADR process.

The parties request that the following briefing schedule be entered:

Appellant's Opening Brief January 14, 2019

Appellee's Answering Brief March 15, 2019

THEREFORE, IT IS RECOMMENDED that, pursuant to paragraph 2(a) Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District and 28 U.S.C. § 636(b), this matter be withdrawn from the mandatory referral for mediation and proceed through the appellate process of this Court. No objections are anticipated to this Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B), FED. R. CIV. P. 72(a) and D. DEL. LR 72.1 because the Recommendation is consistent with the parties' request.

Local counsel are obligated to inform out-of-state counsel of this Order.

/s/ Mary Pat Thyng
Chief U.S. Magistrate Judge Mary Pat Thyng